

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

UNITED STATES DISTRICT COURT

FILED

for the

Western District of Texas

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY \_\_\_\_\_  
DEPUTY CLERK

San Antonio- Division

SA19CA0635 DAE

) Case No.

GYMDN : Mandawala

) (to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Struga Management DBA Vineyard Gardens

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

**COMPLAINT AND REQUEST FOR INJUNCTION**

**I. The Parties to This Complaint**

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**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Symon Mandawala
Street Address	7530 Mockingbird Lane #301
City and County	San Antonio, Bexar County
State and Zip Code	Texas, 78229
Telephone Number	206 931 5636
E-mail Address	smandawala@yahoo.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

## Defendant No. 1

Name	Struga Management DBA Vineyard gardens
Job or Title ( <i>if known</i> )	whoever is incharge of the property
Street Address	7530 Mockingbird lane
City and County	San Antonio, Bexar county
State and Zip Code	Texas, 78229
Telephone Number	210 349 3431
E-mail Address ( <i>if known</i> )	vineyardgardens@gmail.com

## Defendant No. 2

Name	Mrs Consuelo Corona
Job or Title ( <i>if known</i> )	Supervisor
Street Address	5050 Fredricksberg road
City and County	San Antonio, Bexer County
State and Zip Code	Texas, 78229
Telephone Number	
E-mail Address ( <i>if known</i> )	

## Defendant No. 3

Name	Juan Martnez
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Job or Title (*if known*)  
 Street Address  
 City and County  
 State and Zip Code  
 Telephone Number  
 E-mail Address (*if known*)

Principal Maintenance  
 7530 Mockingbird lane  
 San Antonio, Bexar County  
 Texas, 78229

Defendant No. 4

Name  
 Job or Title (*if known*)  
 Street Address  
 City and County  
 State and Zip Code  
 Telephone Number  
 E-mail Address (*if known*)

*REVEN RICCO  
 SUBJECT PROPERTY AAA AGENT  
 7530 Mockingbird Lane  
 San Antonio, Bexar County  
 Texas, 78229*

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

Federal question

Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

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42 U.S.C§ 3601-3619, 3535(d)3600-3620 et seq, 18 U.S.C 1701-1703, and 1708

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**B. If the Basis for Jurisdiction Is Diversity of Citizenship**

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) \_\_\_\_\_, is a citizen of the  
State of (name) \_\_\_\_\_.

b. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_,  
and has its principal place of business in the State of (name)  
\_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of  
the State of (name) \_\_\_\_\_. Or is a citizen of  
(foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under  
the laws of the State of (name) \_\_\_\_\_, and has its  
principal place of business in the State of (name) \_\_\_\_\_.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

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*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

**3. The Amount in Controversy**

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (*explain*):

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**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

**A. Where did the events giving rise to your claim(s) occur?**

the events happened at defendants' subject property of Vineyard Gardens located at 7530 Mockingbird Lane, in Bexar county area, San Antonio City within the zip code of Texas 78229.

**B. What date and approximate time did the events giving rise to your claim(s) occur?**

there are multiple dates, time and incidents but the first incident was noticed on March 20, 2019

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C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

1. Plaintiff was legally residing at the subject property with Mr and Mrs Smith after Plaintiff was allowed and paid joining fee to Ms Raven Rico on December 17, 2018. But on March 20, 2019 that was when the defendant removed packages from subject property and take them to another property addressed as 5050 Fredricksburg RD detained them. the packages were delivered by FedEx carrier correctly addressed to Plaintiff as San Antonio Police officer Mike Thornton learnt upon being called for help by Plaintiff.
2. on March 22, 2019, Miss Raven Rocco threatened Smiths' family with an eviction lawsuit that they will move out if Plaintiff remain in the unit  
And later the threat became a reality when Defendant Consuelo Corona filed a small claim eviction lawsuit to evict smiths' family for violating lease agreement (says Smith family allowed unauthorised occupant meaning plaintiff) which was dismissed by David Fritsche Attorney of the management property company for non-suit.
3. Defendants Consuelo Corona ordered her agents to confiscate, hide and destroy the packages delivered on 3/26/2019 by Federal Postal service that was named and addressed correctly to plaintiff.
4. everytime family member of Smith goes to defendant's leasing office for help were threatened to be kicked out, and refused to renew the lease and to pay the monthly rent, until the Plaintiff vacate the unit.
5. And on May 29, 2019 for the second time the Defendant formally again notified Mr and Mrs Smith to vacate the unit at the end of the month of June 2019
6. On or around March 21, 2019 defendant Consuelo Corona spoke on the phone call with defendant Juan Martinez where by plaintiff was present to the side of Juan Martinez that if the plaintiff does not cooperate she will deal with him,
7. As of today, the defendant sends back to the sender all mails and packages that can not fit in mail box that is correctly and properly addressed to the plaintiff .

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#### **IV. Irreparable Injury**

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

there is a potential federal crimes committed that requires the court only to do a measurable determination ( measurable damages and non measurable damages in this cause). The consequence is that some of the victims of the defendant will become homeless in near future. There is severe emotional damage among the people around plaintiff.

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#### **V. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

1. Plaintiff is hereby requesting the court to impose the order to stop all defendants their eviction harrasment to Mr & Mrs Smith, Plaintiff and all occupant of 308 unit of the subject property.
2. Plaintiff is hereby requesting the court to order defendant to stop all mail, package removal, detaining, damaging or returning to the sender without postal services confirming change of plaintiff's address.
4. the plaintiff request this court to order Mrs Consuelo Corona and her daughter Estephen (a Biological daughter of Mrs. Corona) to stop all supervising activities, descissions and day to day operations of the subject property, until this court detemination to reverse this part of order
5. Plaintiff is hereby praying to this court to order any defendant or their subodnate not to issue any life threat to Plaintiff and all people associated with him to this cause.

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## VI. Certification and Closing

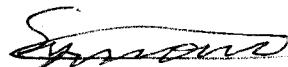
Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 6/7/2019

Signature of Plaintiff



Printed Name of Plaintiff

Symon Mandawala

### B. For Attorneys

Date of signing: \_\_\_\_\_

Signature of Attorney

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Printed Name of Attorney

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Bar Number

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Name of Law Firm

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Street Address

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State and Zip Code

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Telephone Number

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E-mail Address

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